United Nations A/C.1/63/L.39*

General Assembly

Distr.: Limited
17 October 2008

Original: English

Sixty-third session
First Committee
Agenda item 89
General and complete disarmament

**Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Uruguay: draft resolution**

# Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

*The General Assembly*,

*Guided by* the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its respect for and commitment to international law,

*Recalling* its resolutions 46/36 L of 9 December 1991, 51/45 N of 10 December 1996, 51/47 B of 10 December 1996, 56/24 V of 24 December 2001, 60/69 and 60/82 of 8 December 2005, and 61/89 of 6 December 2006,

*Recognizing* that arms control, disarmament and non-proliferation are essential for the maintenance of international peace and security,

*Reaffirming* the inherent right of all States to individual or collective self-defence in accordance with Article 51 of the Charter,

* Reissued for technical reasons.

08-55878* (E) 231008

*Acknowledging* the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, and in order to participate in peace support operations,

*Recalling* the obligations of all States to fully comply with arms embargoes decided by the Security Council in accordance with the Charter,

*Reaffirming* its respect for international law, including international human rights law and international humanitarian law, and the Charter,

*Taking note* of and encouraging relevant initiatives, undertaken at the international, regional and subregional levels between States, including those of the United Nations, and of the role played by non-governmental organizations and civil society, to enhance cooperation, improve information exchange and transparency and implement confidence-building measures in the field of responsible arms trade,

*Recognizing* that the absence of common international standards for the import, export and transfer of conventional arms is one of the contributory factors to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development,

*Acknowledging* the growing support across many regions for concluding a legally binding instrument negotiated on a non-discriminatory, transparent and multilateral basis, to establish common international standards for the import, export and transfer of conventional arms, including through regional and subregional workshops and seminars held in order to discuss the initiative launched by the General Assembly in its resolution 61/89,

*Taking due note* of the views expressed by Member States on the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, submitted to the Secretary-General at his request,[1]

*Welcoming* the report of the Secretary-General, prepared with the assistance of the Group of Governmental Experts,[2] which states that in view of the complexity of the issues of conventional arms transfers, further consideration of efforts within the United Nations to address the international trade in conventional arms is required on a step-by-step basis in an open and transparent manner to achieve, on the basis of consensus, a balance that will provide benefit to all, with the principles of the Charter of the United Nations at the centre of such efforts,

*Determined* to prevent the diversion of conventional arms, including small arms and light weapons, from the legal to the illicit trade,

1. *Endorses* the report of the Secretary-General[2] prepared with the assistance of the Group of Governmental Experts taking into account the views of Member States;[1]

2. *Encourages* all States to implement and address, on a national basis, the relevant recommendations contained in paragraphs 28 and 29 of the report of the Secretary-General and commends all States to carefully consider how to achieve

---

[1] See A/62/278 (Part I), (Part II), and Add.1-3.

[2] See A/63/334.

such implementation in order to ensure that their national systems and internal controls are at the highest possible standards to prevent the diversion of conventional arms from the legal to the illicit market, where they can be used for terrorist acts, organized crime and other criminal activities, and further calls on those States in a position to do so to render assistance in this regard upon request;

3. *Decides*, in order to facilitate further consideration on the implementation of the relevant recommendation contained in paragraph 27 of the report of the Secretary-General on a step-by-step basis among all States Members of the United Nations, in an open and transparent manner, to establish an open-ended working group, to meet for up to six one-week sessions starting in 2009, of which the two sessions foreseen in 2009 will be held in New York from 2 to 6 March and 13 to 17 July, respectively;

4. *Also decides* that the open-ended working group will hold a one-day organizational session in New York by 27 February 2009 in order to agree on the organizational arrangements connected with the open-ended working group, including the dates and venues for its future substantive sessions;

5. *Further decides* that the open-ended working group will, during 2009, further consider those elements in the report of the Group of Governmental Experts where consensus could be developed for their inclusion in an eventual legally binding treaty on the import, export and transfer of conventional arms, which provides a balance giving benefit to all, with the principles of the Charter of the United Nations and other existing international obligations at the centre of such considerations, and to transmit an initial report from the open-ended working group to the General Assembly for consideration at its sixty-fourth session;

6. *Requests* the Secretary-General to transmit the replies of Member States,[1] and the report of the Group of Governmental Experts[2] to the open-ended working group and to render the group all necessary assistance, including the provision of essential background information and relevant documents;

7. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms".